

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re: Fenderson *et al.*

U.S. Patent No. 5,990,046

Appl. No.: 08/911,926

For: Synergistic Herbicidal Compositions of Dimethenamid

Confirmation No.: 4135

Patent Date: November 23, 1999

Filed: August 15, 1997

Mail Stop Reconstruction  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL RESPONSE TO NOTICE UNDER 37 CFR § 1.251**

1. This is a supplemental response to the Notice Under 37 CFR §1.251 that was mailed from the United States Patent and Trademark Office ("USPTO") on November 21, 2007. Patentee is enclosing herewith a copy of the August 4, 1998, Office Action for reconstruction of the lost file.

2. This non-final rejection was listed in the transactional history for the above-referenced patent. Although unaware of the existence of this copy in our files at the time of filing the first response to the reconstruction notice, the undersigned recently discovered this copy. Patentee affirms that the attached document, together with the previous response, reflect a complete and accurate copy of patentee's record of correspondence between the Office and the patentee for the above-identified patent (except for U.S. patent documents).

3. It is not believed that any fees are required, however, in the event that any fees are necessary to allow consideration of these documents, such fees are hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

/christopher m. humphrey/

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